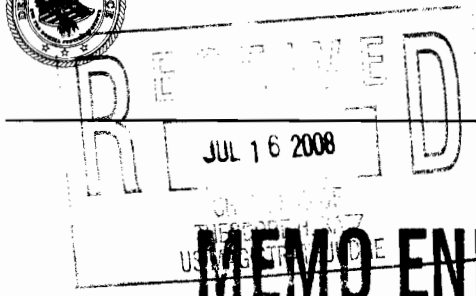




U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

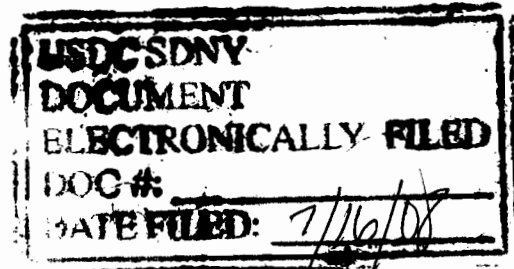


July 15, 2008

MEMO ENDORSED

By Hand

Honorable Theodore H. Katz
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1660
New York, New York 10007



Re: John A. Hairston v. Astrue
08 Civ. 0207 (LTS) (THK)

Dear Judge Katz:

This Office represents the Commissioner of Social Security, defendant in the above-referenced action. I am writing respectfully to request nunc pro tunc an extension of time to submit a signed stipulation of remand.

On June 17, 2008, this Court granted defendant's request for an extension of time until June 30, 2008, to submit the stipulation. This Office received plaintiff's signed copy of the stipulation on or about that same day, but due to a clerical error, it appears that the original stipulation was not filed with the Court. I only learned today that the stipulation had not been filed. Further, upon a search of the file, the original stipulation cannot be located.

Therefore, with the consent of plaintiff, I respectfully request an extension of two weeks from today, until July 29, 2008, to allow defendant to obtain a newly signed stipulation so that it can be submitted to the Court.

Three prior extensions have been granted to defendant with respect to his motion, which was originally due on April 15, 2008.

MEMO ENDORSED

Granted.

SO ORDERED

7/16/08

Theodore H. Katz

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE


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TO COUNSEL OF RECORD ON 7/16/08

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:



LESLIE A. RAMIREZ-FISHER
Assistant U.S. Attorney
Telephone: (212) 637-0378
Fax: (212) 637-2750

cc: Herbert Forsmith, Esq. (By Fax)